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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
STRANGE, AARON N	
ART UNIT	**PAPER NUMBER**
2153	

DATE MAILED: 10/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/803,971	KOKOJIMA ET AL.	
	Examiner	Art Unit	
	Aaron Strange	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 June 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 10-58* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5 and 10-58* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *20051230; 20060802*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 6/28/06 have been fully considered but they are not persuasive.

2. With regard to Applicant's assertion that "the applied art does not disclose utilizing or storing information pertaining to a three-dimensional structure." (Page 21, Lines 14-15 of Remarks), the Examiner respectfully disagrees. Narioka, Ranjan, and Boyce each disclose utilizing and storing information pertaining to a three-dimensional structure, namely Earth. Narioka, Ranjan, and Boyce disclose utilizing and storing information pertaining to roads and buildings on Earth and providing destination guidance for guiding on Earth.

In the interest of expedited prosecution, even if the claims were limited to destination guidance within a building of some sort, which they are not, destination guidance within buildings was well-known at the time the invention was made. For example, see Zimmer (US 5,842,145), which discloses destination guidance inside buildings such as airports.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1,3,5,18,19,22,23,30,31,36,37,42,43,46,47,52 and 53 are rejected under 35 U.S.C. 102(e) as being anticipated by Narioka (US 6,148,090).

5. With regard to claim 1, Narioka discloses a destination guidance system, comprising:

a structure information memory configured to store structure information corresponding to structure information pertaining to a three-dimensional structure, the structure information including a plurality of guide points on the three-dimensional structure, and route data indicating moving routes that connect the plurality of guide points (Col 3, Line 63 to Col 4, Line 3);

a guidance information memory configured to store first guidance information including at least one of landmark data and landscape data concerning a plurality of approach and exit directions to and from the guide points (Col 4, Lines 34-42);

an input unit configured to accept a user input defining a desired place of departure and destination (Col 5, Lines 28-34);

a recommended route generation unit configured to generate a recommended route, which is recommended upon movement from the place of departure to the

destination, by selecting and connecting at least one of the route data stored in said structure information memory (Col 5, Line 46 to Col 6, Line 10);

a presentation information generation unit configured to extract second guidance information concerning approach and exit directions to and from at least one guide point, which is present on the recommended route, from the first guidance information in said guidance information memory, and to generate presentation information that contains the second guidance information (Col 5, Line 46 to Col 6, Line 10); and

a presentation unit configured to present the presentation information (Col 6, Lines 9-10 and Fig 5).

6. With regard to claim 3, Narioka further discloses that the presentation information includes information that pertains to the recommended route, and information that pertains to a moving direction and a current position (Col 8, Line 15-24 and Fig 5).

7. With regard to claim 5, Narioka further discloses that said recommended route generation unit generates the recommended route on the basis of a time condition (user specifies whether time is a priority) or a guide point where the user wants to pass (Col 5, Lines 28-34).

8. With regard to claim 36, Narioka further discloses that structure information memory which is configured to store structure information corresponding to two-

dimensional information pertaining to a structure (signs, intersections, etc of map are stored) (Col 5, Lines 52-62).

9. With regard to claim 37, Narioka further discloses that structure information memory which is configured to store structure information corresponding to three-dimensional information pertaining to a three-dimensional structure (information about roads on Earth is stored)(Col 3, Lines 63 to Col 4, Line 3).

10. Claims 18,19,22,23,30,31,42,43,46,47,52 and 53 are rejected under the same rationale as claims 1,3,5,36 and 37, since they recite substantially identical subject matter. Any differences between the claims do not result in patentably distinct claims and all of the limitations are taught by the above cited art.

11. Claims 15,40 and 41 are rejected under 35 U.S.C. 102(e) as being anticipated by Ranjan (US 6,353,795).

12. With regard to claim 15, Ranjan discloses a user terminal communicating with a server apparatus which generates information pertaining to guidance (map) on a three-dimensional structure (Earth), comprising:

an input unit configured to send the place of departure and destination to the server apparatus, and to receive the information pertaining to guidance on the three-dimensional structure, from the server apparatus (consumer's computer) (Fig 5); and

a presentation unit (web browser) configured to present the information pertaining to guidance (Fig 6)(Col 6, Lines 9-20) on the three dimensional structure.

13. With regard to claim 40, Ranjan further discloses that said input unit is configured to input a desired place of departure and destination on a two dimensional structure (map of Earth) (Col 6, Lines 9-20).

14. With regard to claim 41, Ranjan further discloses that said input unit is configured to input a desired place of departure and destination on a three dimensional structure (Earth) (Col 6, Lines 9-20).

15. Claims 15,40 and 41 rejected under 35 U.S.C. 102(e) as being anticipated by Boyce et al. (US 6,459,986).

16. With regard to claim 15, Boyce discloses a user terminal communicating with a server apparatus which generates information pertaining to guidance (map with pickup locations on it) on a three-dimensional structure (Earth), comprising:

an input unit configured to send the place of departure and destination to the server apparatus, and to receive the information pertaining to guidance on the three-dimensional structure, from the server apparatus (client computer); and

a presentation unit (web browser) configured to present the information pertaining to guidance (Fig 2)(Col 2, Lines 44-53) on the three-dimensional structure.

17. With regard to claim 40, Boyce further discloses that said input unit is configured to input a desired place of departure and destination on a two dimensional structure (map) (Col 2, Lines 21-23 and Fig 2).

18. With regard to claim 41, Boyce further discloses that said input unit is configured to input a desired place of departure and destination on a three dimensional structure (Earth) (driver is mapping a route over roads on Earth).

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

20. Claims 10-13,20,21,24-29,32-35,38,3944,45,48-51 and 54-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narioka (US 6,148,090) in view of Ranjan (US 6,353,795).

21. With regard to claim 10, which discloses substantially identical subject matter to claim 1, while the system disclosed by Narioka shows substantial features of the claimed invention (discussed above with regard to claim 1), it fails to disclose that the

components are separated between a client and server apparatus, instead showing them as co-located on a single machine.

Ranjan discloses a similar mapping type system and teaches separating the input and display component from the storage and route calculation components across a client and a server. Ranjan further discloses a web page interface which allows a user to input origination and destination addresses at a client and have the server return routing information to be displayed to the user. This would have been an advantageous addition to the system taught by Narioka since it would have greatly reduced the computing power necessary at the client side since all routing calculation would be done by the server. Additionally, it allows changes in landmarks and guide points to be updated in a central location, ensuring that all users have access to the changes immediately.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to separate components of the system taught by Narioka across a client and server in order to reduce the computer power needed at the client side and allow for easier and faster updating of landmark and guide point data.

22. With regard to claim 11, Narioka further discloses that the presentation information includes information that pertains to the recommended route, and information that pertains to a moving direction and a current position (Col 8, Line 15-24 and Fig 5).

23. With regard to claim 12, Narioka further discloses that said recommended route generation unit comprises:

a route search unit configured to search for a plurality of moving routes upon movement from the place of departure to the destination;

a cost calculator which calculates costs for the respective moving routes by scoring the number of turning points and the number of guide points included in each of the plurality of moving routes and obtain a cost calculator result; and

a selection unit configured to select the recommended route from the plurality of moving routes on the basis of the cost calculation result (Col 3, Line 63 to Col 4, Line 10).

24. With regard to claims 13, Narioka further discloses that said presentation information generation unit extracts, from said guidance information memory, third guidance information associated with only a guide point designated in advance, of the guide points present on the recommended route (picture data, land marks, signals, arrows, and road signs are extracted for guide points)(Col 5, Lines 49-64).

25. With regard to claim 38, Narioka further discloses that structure information memory is configured to store structure information corresponding to two-dimensional information pertaining to a two-dimensional structure (signs, intersections, etc of map are stored) (Col 5, Lines 52-62).

26. With regard to claim 39, Narioka further discloses that structure information memory is configured to store structure information corresponding to three-dimensional information pertaining to a three-dimensional structure (information about roads on Earth is stored)(Col 3, Lines 63 to Col 4, Line 3).

27. Claims 20,21,24-29,32-35,44,45,48-51 and 54-58 are rejected under the same rationale as claims 10-13,38 and 39, since they recite substantially identical subject matter. Any differences between the claims do not result in patentably distinct claims and all of the limitations are taught by the above cited art.

28. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Narioka (US 6,148,090) in view of Fukushima et al. (US 5,991,688).

29. With regard to claim 4, while the system disclosed by Narioka shows substantial features of the claimed invention (discussed above), it fails to disclose utilizing current position data from a position providing device provided on the structure wherein said presentation unit switches the present information to the guidance information or the information that pertains to the recommended route at a predetermined guide point of the presentation information in response to the current position data, or a switching input from a user.

Fukushima discloses a similar mapping system and teaches automatically

adjusting the routing information upon detecting that the current position of the user has deviated from the recommended route (At least Col 15, Lines 51-55 and Col 9, Line 36 to Col 11, Line 14). This allows the route to be adjusted when a user deviated from the recommended route for some reason, resulting in the preferred route to a destination always being presented from the current position of the user, maintaining an optimal travel time/distance when a user deviated form the preferred route.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to adjust the routing information based on the current location of a user in order to maintain an optimal routing to a destination based on the user's current location.

30. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Narioka (US 6,148,090) in view of Ranjan (US 6,353,795) in further view of Fukushima et al. (US 5,991,688).

31. With regard to claim 14, while the system disclosed by Narioka and Ranjan shows substantial features of the claimed invention (discussed above), it fails to disclose a checking unit configured to check based on position information received by the user terminal whether the user is moving along the recommended route or not, present third guidance information pertaining to the next guide point when the user is moving along the recommended route, and present fourth guidance information

pertaining to a nearby guide point on the recommended route when the user is not moving along the recommended route.

Fukushima discloses a similar mapping system and teaches automatically adjusting the routing information upon detecting that the current position of the user has deviated from the recommended route (At least Col 15, Lines 51-55 and Col 9, Line 36 to Col 11, Line 14). This allows the route to be adjusted when a user deviated from the recommended route for some reason, resulting in the preferred route to a destination always being presented from the current position of the user, maintaining an optimal travel time/distance when a user deviated form the preferred route.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to adjust the routing information based on the current location of a user in order to maintain an optimal routing to a destination based on the user's current location.

Conclusion

32. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Strange whose telephone number is 571-272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AS
9/28/06

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